

INFORMATION LETTER

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REVISED WAGE-HOUR INTERPRETATIONS

Former Restrictions Liberalized in Instructions Issued to Inspectors of Canning Plants

Revised interpretations of the canning exemptions under the Federal Wage and Hour Law, representing for the most part a liberalization of many of the restrictive interpretations previously in effect, were made public this week when the Wage and Hour Division gave to the Association a copy of the instructions which it has sent to its field offices. These instructions will govern the activities of the Wage and Hour Division inspectors who are now conducting a nation-wide inspection of canning operations.

They are set forth below in full text, together with explanatory comment.

The new interpretations, which relate only to the two 14-weeks exemptions from the maximum hour provisions available to canners, are the result of a comprehensive study of canning operations conducted by the Wage and Hour Division during the past year. They are designed to, and undoubtedly will, eliminate many of the operating difficulties and hardships which arose under the more restricted old interpretations. To this end, the Division has now ruled that the 7(b)(3) and 7(c) exemptions will be given the same interpretation, will apply to the same employees, and will apply to *all employees* in the plant whose work relates solely to the canning of perishable fresh fruits or vegetables. This is in contrast to the old interpretations, resulting in much confusion, that the 7(c) exemption was more narrow in scope than 7(b)(3), and applied only to employees actually working on the canning lines, and to other employees whose activities were controlled by the irregular movement of raw materials into the establishment. Under the new rulings, if a canner is canning only perishable fresh products, the two exemptions will now apply to all the employees in his plant.

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British Require 40,000 Tons of Fruit

The British have indicated that they will require approximately 40,000 tons of fruits to be used as a base for preserves. It is expected that the Federal Surplus Commodities Corporation will follow its usual practice and buy principally those crops which are acceptable to the British and the production of which is above last year or above usual domestic requirements.

The Agricultural Marketing Service indicates, in its fruit prospect report of June 16, that the 1941 crops of apricots in California, peaches in North and South Carolina and Georgia, and plums in California may be large enough to supply these needs.

PEA SPECIFICATIONS REVISED

Summary of Essential Requirements that will Apply to Army Purchases

The revised specifications to be used in the purchase of canned peas for the Army have been approved by the Secretary of War and have thus become tentative Federal specifications for that product. With approval by other government purchasing agencies, they will become the accepted Federal specifications for the various agencies.

In order that canners may be familiar with these specifications in advance of invitations to bid that will later be issued by the War Department, the essential features are here summarized.

TYPES, SIZES, GRADES

Types. Canned peas shall be such of the following types as may be specified in the invitation for bids:

Type I.—Early. Early peas are peas of early maturing or other smooth skin varieties.

Type II.—Sweet (or Sugar). Sweet peas are peas of later maturing, wrinkled varieties which have a natural sweet flavor.

Sizes. Canned peas shall be such of the following sizes or combinations of sizes as may be specified in the invitation for bids:

No. 1 Size.—Peas that will pass through a screen of 9/32-inch mesh.

No. 2 Size.—Peas that will pass through a screen of 10/32-inch mesh, but not through a screen of 9/32-inch mesh.

No. 3 Size.—Peas that will pass through a screen of 11/32-inch mesh, but not through a screen of 10/32-inch mesh.

No. 4 Size.—Peas that will pass through a screen of 12/32-inch mesh, but not through a screen of 11/32-inch mesh.

No. 5 Size.—Peas that will pass through a screen of 13/32-inch mesh, but not through a screen of 12/32-inch mesh.

No. 6 Size.—Peas that will pass through a screen of 14/32-inch mesh, but not through a screen of 13/32-inch mesh.

No. 7 Size.—Peas that fail to pass through a screen of 14/32-inch mesh.

"Run of the pod".—Peas that are ungraded for size.

In determining compliance with the size requirements listed above, peas shall be considered as of one size if 70 per cent or more by count are of the size specified, provided that not more than 3 per cent each shall be two sizes larger or two sizes smaller than the predominating size.

Grades. Canned peas shall be such of the following grades as may be specified in the invitation for bids: Fancy (Grade A); Extra Standard (Grade B); Standard (Grade C).

MATERIAL AND WORKMANSHIP

Canned peas shall be of the latest crop, unless otherwise specified in the invitation for bids, and shall be packed under sanitary conditions in accordance with best commercial practice and sufficiently processed by heat to assure preser-

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vation of the product in hermetically sealed containers, either tin or glass, as specified in the invitation for bids. Containers shall be sound and clean. Cans shall be free from rust and serious dents, and the ends shall be flat or concave.

GENERAL REQUIREMENTS

All deliveries shall conform, in every respect, to the provisions of the Federal Food, Drug, and Cosmetic Act, and regulations promulgated thereunder.

DETAIL REQUIREMENTS

Fill of Container for Canned Peas. Canned peas shall be considered standard in fill if the can is so filled that, when the peas and liquid are removed from the container and returned thereto, the leveled peas (irrespective of the quantity of liquid), 15 seconds after they are so returned, completely fill the container. A container with lid attached by double seam shall be considered to be completely filled when it is filled to the level 3/16 inch vertical distance below the top of the double seam; and a glass container shall be considered to be completely filled when it is filled to the level ½ inch vertical distance below the top of the container.

Fancy (Grade A) canned peas shall be peas of similar varietal characteristics surrounded by practically clear liquor; shall possess a practically uniform typical color; shall be practically free from defects; very tender; and shall possess a normal flavor.

Extra Standard (Grade B) canned peas shall be peas of similar varietal characteristics surrounded by reasonably clear liquor; shall possess a reasonably uniform typical color; shall be reasonably free from defects; reasonably tender; and shall possess a normal flavor.

Standard (Grade C) canned peas shall be peas of similar varietal characteristics surrounded by liquor which may be cloudy, with a noticeable accumulation of sediment; shall be fairly free from defects; may be slightly starchy; and shall possess a normal flavor.

Definition of terms. The interpretation of requirements (descriptive terms) contained in the foregoing specification of grades shall be in accordance with the "United States Standards for Grades of Canned Peas," established by the U. S. Department of Agriculture. Following are the essential features of the definitions of terms contained in the U. S. Standards:

"Reasonably clear liquor" may be somewhat cloudy or possessing a small quantity of sediment.

"Defects" deal with the degree of care exercised in the removal of harmless extraneous vegetable material (such as pea pods and thistle buds), broken peas, and spotted or otherwise discolored peas. The pea seed is considered unbroken if the two cotyledons are held together by the skin, even though the cotyledons may be cracked or partly crushed or the skin split.

"Practically free from defects" means that there may be present no harmless extraneous vegetable material, not more than 2 per cent by count of broken peas, and not more than ½ per cent by count of spotted or otherwise discolored peas.

"Reasonably free from defects" means that there may be present not more than ¼ per cent of the drained weight of peas or harmless extraneous vegetable material, not more than 5 per cent by count of broken peas, and not more than 2 per cent by count of spotted or otherwise discolored peas.

"Fairly free from defects" means that there may be present not more than ½ per cent of the drained weight of peas of harmless extraneous vegetable material, not more than 10 per cent of the drained weight of peas which are broken peas, and not more than 4 per cent by count of spotted or otherwise discolored peas.

"Very tender" means that not more than 10 per cent by count of the peas will sink immediately in a salt solution of 10 per cent pure salt and not more than 2 per cent by count will sink in a salt solution of 11 per cent.

"Reasonably tender," in the case of Early type peas, means that not more than 10 per cent by count of the peas will sink immediately in a salt solution of 13.5 per cent pure salt and not more than 2 per cent by count will sink in a salt solution of 14.5 per cent, and that none of the skins of the peas have been ruptured to a width of 1/16-inch or more. In the case of Sweet type peas, "reasonably tender" means that not more than 10 per cent by count of the peas will sink immediately in a salt solution of 12.5 per cent pure salt and not more than 2 per cent by count will sink in a salt solution of 13.5 per cent, and that none of the skins of the peas have been ruptured to a width of 1/16 inch or more.

"Slightly starchy" means that the skins of not more than 25 per cent by count of the peas are ruptured to a width of 1/16 inch or more; that not less than 90 per cent by count of the peas are crushed by a weight of not more than 907.2 grams (2 pounds); and that the alcohol insoluble solids of Early type peas are not more than 23.5 per cent, and of Sweet type peas not more than 21 per cent.

"Normal flavor" means that the product is free from objectionable or off flavors of all kinds.

METHODS OF INSPECTION AND TEST

Place of inspection shall be as specified in the invitation for bids.

Chemical analyses, if required by the purchaser in the examination or testing of samples and deliveries under this specification, shall be made in accordance with methods of the Association of Official Agricultural Chemists in effect on date of invitation for bids.

PACKAGING, LABELING, PACKING AND MARKING FOR SHIPMENT

Packaging. Unless otherwise specified, commercial packaging is acceptable under this specification.

Labeling. Unless otherwise specified, any labeling which complies with the Federal Food, Drug, and Cosmetic Act, and regulations promulgated thereunder, will be acceptable under this specification.

Packing. Unless otherwise specified, the subject commodity shall be delivered in standard commercial containers, so constructed as to insure acceptance by common or other carriers, for safe transportation, at the lowest rate, to the point of delivery.

Marking. Unless otherwise specified, shipping containers shall be marked with the name of the product, quantity and size of packages in the container as defined by the contract or order under which the shipment is made, the name of the contractor, the number of the contract or order, and other pertinent information as may be specified.

As has been previously announced in the INFORMATION LETTER, the specifications for the various canned foods to be purchased for the defense forces are being revised. It will be to the advantage of both the government and the canning industry to have the canners familiarize themselves with the essential features of these specifications prior to the time that the government issues invitations to bid. Accordingly, the Association plans to issue a bulletin outlining and summarizing the specifications in somewhat the same way that the pea specifications are summarized in this issue of the LETTER. This bulletin will be published as soon as the revision work is completed, and the specifications tentatively or fully approved, on the principal products.

REVISED WAGE-HOUR INTERPRETATIONS

(Continued from page 6591)

The Division's previous interpretations concerning the status of mixed products such as fruit cocktail, mixed vegetables, etc., have also been liberalized, and in the future both of these two 14-week exemptions will apply to the canning of such mixed products if the finished product is composed *preponderantly* of fresh fruits or vegetables.

The complete text of the Division's instructions to its inspectors, in which these revised interpretations are set forth, follows.

"Application of Sections 7(c) and 7(b)(3) Exemptions to Fresh Fruit and Vegetable Canning or Freezing Establishments

"An employer who is engaged in canning or freezing perishable or seasonal fresh fruits or vegetables may apply the hours exemptions granted under sections 7(c) and 7(b)(3) to all the employees in his establishment who perform operations solely in connection with the canning or freezing of such fresh fruits or vegetables. If an employee's operations pertain during any workweek to the canning or freezing of other commodities, he is not exempt under either section during that workweek. (For example, neither exemption is applicable to an employee whose work during any workweek relates in part to the canning of pork and beans. However, employees who are engaged exclusively in such work as the peeling of tomatoes are within the exemptions whether the tomatoes are thereafter used in the canning of pork and beans or the canning of fresh products.) When an independent contractor is engaged to furnish labor in connection with canning or freezing of fresh fruits or vegetables, his employees will be exempt under both sections 7(c) and 7(b)(3) if they perform operations which are exempt when performed by the employees of the canner or freezer himself."

Comment: This introductory paragraph sets forth the basic general principle which will control the Division's interpretations of the two 14-weeks exemptions. It is that both exemptions apply to the same employees, and that they apply to *all employees* in the establishment who perform operations related solely to the canning of perishable or seasonal fresh fruits or vegetables. If the plant is canning only fresh fruits or vegetables, the exemptions will apply to all employees in the plant.

"The following outline indicates the scope of the sections 7(c) and 7(b)(3) exemptions with respect to the employees in canning or freezing establishments and presents some general rules for applying the exemptions:

"Part I.—Scope of Exemptions for Employees Working in Connection with the Canning or Freezing of Fresh Fruits and Vegetables

"1. *Canning or freezing plant proper.*—All employees in the plant, where preparation and canning or preparation and freezing of fresh fruits or vegetables are carried on, are exempt under sections 7(c) and 7(b)(3). This includes office employees, maintenance men, watchmen, janitors, first aid attendants, laboratory technicians, general laborers, and employees engaged in receiving, preparing and canning or freezing the fresh fruits and vegetables."

Comment: It will be observed that this instruction specifically states that all employees, including even

watchmen, general laborers, and all office employees, are exempt. Under the old interpretations the Division took the position that watchmen were not under the 7(c) exemption, and that this exemption applied to office employees only when their hours of employment were directly controlled by the irregular flow of the raw commodities. All office employees working at the plant will now be exempt irrespective of the nature of their work (except, as indicated in Instruction I, Paragraph 5, below, sales employees whose work is not immediately related to the operation of the cannery).

"2. *Plant warehouse.*—All employees in the cannery or freezing plant warehouse are exempt under sections 7(c) and 7(b)(3). This includes employees engaged in labeling or loading, clerical employees, janitors, box or label printers, employees engaged in handling or assembling containers, employees engaged in handling ingredients which go into the canned or frozen products, etc. The exemptions apply whether the plant warehouse facilities are in separate buildings or consist only of separate rooms in the cannery or freezing plant proper."

Comment: Here again, the Division has ruled that *both* exemptions apply to *all* employees at a *plant* warehouse, irrespective of the nature of their employment. Under the old interpretations the 7(c) exemption applied to warehouse employees only when they were handling products immediately after canning as part of a continuous operation. If the warehouse employees handled *any* products which had been canned at an earlier date, the exemption was destroyed. The 7(c) exemption will now apply, however, even though the warehouse employees may be handling previously packed products.

It should be emphasized, however, that the exemptions apply only to *plant*, as distinguished from central or consolidation warehouses (consolidation warehouses are discussed in Instruction I, Paragraph 6, below). A plant warehouse is one located at or near the plant, which handles only products that are canned at that plant.

"3. *Receiving station, viner station, barreling station, ripening house, etc.*—All employees at stations where receiving, vining, barreling, grading, ripening or precooling operations are performed prior to the movement of the fruits and vegetables to the canning or freezing plant proper are exempt under sections 7(c) and 7(b)(3). Also exempt are such employees as buyers who buy or contract for the production of fruits and vegetables, and field men who supervise production or harvesting of such fruits and vegetables."

Comment: This instruction confirms the previous ruling to the effect that both exemptions apply to vining stations, receiving stations, etc., and that they also apply to field men. Under the earlier ruling, however, the 7(c) exemption applied to field men only when they reported at the canning plant frequently and regularly during the canning season (see INFORMATION LETTER of April 5, 1941, page 6494). The 7(c) exemption apparently will now apply to such employees irrespective of the frequency or regularity with which they report to the plant. The instruction also states that the 7(c) exemption applies to *buyers*. This apparently reverses the earlier ruling (INFORMATION LETTER of April 5, 1941, at page 6494) to the effect that the 7(c) exemption does not apply to employees engaged in buying on produce exchanges.

"4. Truck drivers.—Truck drivers transporting raw materials and supplies to the canning or freezing plant proper or transporting the canned or frozen goods between the plant and the plant warehouse, or between two or more plant warehouses, are exempt under both sections 7(c) and 7(b) (3). Garage men servicing the trucks used in these types of transportation are also within the exemptions. Truck drivers transporting the canned or frozen goods from the canning or freezing plant proper or from the plant warehouse to market or to a carrier for transportation to market or to a central or 'consolidation house' are not exempt. Garagemen servicing the trucks used in the latter types of transportation are also nonexempt."

Comment: Under this instruction both exemptions apply to truck drivers engaged in transporting raw materials and supplies to the cannery. This apparently means that truck drivers hauling empty cans, sugar, salt, and other supplies are under both exemptions. The exemptions apply to the trucking of the finished canned product, however, only when the products are being trucked to a plant warehouse. Neither exemption applies to the trucking of the finished canned foods to a consolidation warehouse, to market, or to a carrier for transportation to market.

"5. Central or administrative office.—Employees in a central or administrative office are not exempt under sections 7(c) or 7(b)(3). Generally, a central or administrative office is any office which performs work for more than one canning or freezing establishment. A sales office, the work of which is not immediately related to the operations of the cannery or freezer, is likewise nonexempt even though it performs work for only one canning or freezing establishment."

Comment: This instruction represents a restriction on the old interpretations. The Division had previously ruled that the 7(b)(3) limited exemption—but not the 7(c) exemption—applied to central offices. This is no longer the case, and now neither exemption applies.

"6. Central or consolidation warehouse.—Employees in a central or consolidation warehouse are not exempt under sections 7(c) or 7(b)(3). A central or consolidation warehouse is one which stores goods produced in more than one canning or freezing establishment. A sales warehouse, the work of which is not immediately related to the operations of the cannery or freezer, is likewise nonexempt even though it performs work for only one canning or freezing establishment."

Comment: In applying the two exemptions to warehouse employees, the new interpretations make a distinction between plant warehouses and central or consolidation warehouses. As is indicated above, the exemptions apply to a plant warehouse which handles the products of a single cannery only. The exemptions do not, however, apply to a central or consolidation warehouse which "handles the products of more than one cannery." The instructions do not mention the difficult problem of a plant warehouse which occasionally handles the products of another cannery owned by the same canner, either because there is a shortage of storage space at the other cannery, or in order to permit the making up of mixed carload shipments. The extent to which the exemptions apply under these circumstances is not clear, but the Association plans to discuss this problem with the Division at an early date, with a view to further clarification.

"Part II.—Application of the Exemptions

"1. Timing of exemption.—(a) The section 7(c) exemption may be taken by the canning or freezing establishment only during the weeks when actual canning or freezing operations are taking place. The section 7(b)(3) exemption, on the other hand, may be taken at any time during the year."

Comment: This instruction follows the old ruling that the 7(c) unlimited exemption may be taken only during the active canning season. While both exemptions apply to the same groups of employees, the 7(c) exemption applies to these employees only during the canning season. For example, maintenance work during the canning season is under the 7(c) exemption, but this exemption does not apply to maintenance and repair work before, after, or between seasons. The 7(b)(3) exemption may be taken at any time during the year, either during the active season, before the season, or after its close.

The instruction does not deal with the problem of split weeks at the beginning and the end of the season. For example, if active canning begins on Thursday of the workweek, may a 7(c) unlimited week be taken, even though some of the employees may have done other work during the first part of the week? Further clarification of this problem will be sought from the Division.

(b) Employees in the related stations (viner, barreling station, etc.) or plant warehouse may be exempt only during the weeks when the employees in the canning or freezing plant proper are exempt. With the exceptions noted below in paragraph 3 of this Part, the type of exempt week taken in the canning or freezing plant proper shall determine the type of exemption in the subsidiary stations or warehouse.

(c) The same 14 weeks of exemption must be taken for both (1) the canning or freezing plant and (2) the subsidiary stations or warehouse. This is true with respect to both sections 7(c) and 7(b)(3).

(d) Employees of independent contractors working in either the canning or freezing plant proper or in the subsidiary stations, or plant warehouse, may be exempt only during the weeks when the employees of the canner or freezer himself are exempt. With the exceptions noted below in paragraph 2 of this Part, the type of exempt week taken by the canner or freezer for his own employees shall determine the type of exemption for employees of the independent contractors. The same 14 weeks of exemption must be taken for both (1) the employees of the canner and freezer and (2) the employees of the independent contractor. This is true with respect to both sections 7(c) and 7(b)(3)."

Comment: These instructions follow the earlier rulings that both exemptions must be applied on a plant basis. They further point out that the same weeks must be taken not only for the plant but for all subsidiary operations connected with it, such as vining stations located away from the plant, plant warehouses that are in separate buildings, field men, buyers, etc.

"2. Employee working in two or more establishments during one workweek.—An employee, whether employed by the canner or freezer or by an independent contractor, who during the workweek works for one employer in two or more establishments, shall be exempt as follows:

"If Establishment A and Establishment B are both operating under a section 7(c) exemption, the employee is exempt under section 7(c). If Establishment A is using a section

7(b) (3) week and Establishment B a section 7(c) week, the more restricted exemption, i.e., section 7(b) (3), shall apply. If one of the two establishments has no exemption during the week, the employee is not exempt at all and must be paid time and a half after 40 hours.

"3. Employee in a station serving two or more establishments during one workweek."—An employee in a station, such as a receiving station, that serves two or more establishments during one workweek may be exempt under section 7(c) only if all the establishments are exempt under section 7(c). If one is operating under the section 7(c) exemption and the other under section 7(b) (3), the receiving station employee is eligible only for the lesser exemption, i.e., section 7(b) (3). Finally, if one establishment is operating without either exemption, the receiving station employee is not exempt and should be paid overtime after 40 hours of work."

Comment: The preceding two instructions deal with employees or vining stations who work in or serve two or more canneries. The exemptions apply to such employees only when all of the canneries served are taking an exempt week for that particular week. If one of the canneries is taking a 7(b) (3) week, and the other a 7(c) week, only a 7(b) (3) limited week can be taken by the employees or vining stations that serve both canneries.

"Part III.—Special Cases"

"1. Fruit cocktails, ketchup, etc."—The canning of fruit cocktails, ketchup and related products shall be considered exempt under both sections 7(c) and 7(b) (3), if the finished product is composed preponderantly of fresh fruits or vegetables. If the canning of these products is exempt, all the principles expressed above with respect to the canning of fresh fruits and vegetables generally apply. Thus, the preparation in the freezing or canning plant proper, or in the plant warehouse of the ingredients other than fresh fruits or vegetables, which go into the finished product, is within the exemptions. For example, employees who handle and prepare brined cherries for immediate use in an exempt fruit cocktail will be exempt.

"On the other hand, if cherries are processed for canning or barreling as maraschino cherries, the exemptions will apply only with respect to the operations connected with placing the cherries in brine. (This is a 'first processing' operation.) The subsequent operations upon the cherries in such a case will not be exempt, since such operations are related solely to fruit that is no longer fresh and perishable."

Comment: Apparently the words in this instruction "Fruit Cocktails, Ketchup and related products" include all mixed packing operations such as Fruits for Salad, Mixed Vegetables, Vegetables for Salad, Peas and Carrots, Succotash, etc. If the fresh ingredients used in canning these products constitute a preponderant proportion of the finished product, both exemptions apply completely to the canning of the product, including the preparatory operations on non-fresh ingredients. The word "preponderantly" presumably is intended to mean that if more than 50 per cent of the ingredients that go into the finished product are fresh, the exemption applies. Further clarification of this instruction will, however, be sought.

"2. Pork and beans, other dry lines, spaghetti, etc."—The canning of pork and beans, other dry lines, spaghetti, etc., is not the canning of fresh fruits or vegetables. Such

products consist chiefly of ingredients that are not fruits and vegetables at all or, if they are fruits and vegetables, they are not fresh and perishable. The canning of such products is not exempt under either sections 7(b) (3) or 7(c), therefore, an employee whose work relates in any way to the canning of such products is not within either exemption. This includes employees engaged in labeling, warehousing, maintenance, office, or any other kind of work in connection with the canning of such products."

Comment: This instruction follows the earlier interpretations concerning dry lines. If during a particular workweek an employee performs any work related to the canning of a non-fresh or non-perishable product, neither of the exemptions apply to that employee during that week. Thus, where a cannery is working on both fresh products and dry lines, the exemptions will not apply to warehouse workers, maintenance employees, power house employees, etc., whose work relates to both the perishable and the non-perishable operations.

Standardization Bill for Pennsylvania

A bill recently introduced in the Pennsylvania State legislature would make canned fruits and vegetables subject to possible grade and can size standardization and to regulations governing the marks, brands, and labels used on canned products to indicate the quantity, nature, and quality of the contents. Provisions of the measure, House Bill No. 1850, would be administered by the State Department of Agriculture. The bill was introduced by Messrs. Baugher and Gillan and has been referred to the Committee on Agriculture.

With the adjournment of the California legislature on June 14, only eight of the 43 State Legislatures that met this year remain in session. The States in which legislatures continue sitting are: Illinois, Massachusetts, Missouri, New Hampshire, New Jersey, Pennsylvania, Texas, and Utah. Besides the scheduled adjournment of the California legislature, other recent adjournments have taken place in Wisconsin, Florida, Connecticut, South Carolina, Michigan.

Adjournment of the Michigan legislature terminated action on a proposed food, drug, and cosmetic law for that State, and the Wisconsin legislature adjourned without taking final action on the bill to permit the use of artificial coloring in canned products. A food, drug, and cosmetic bill, introduced in this past session of the South Carolina legislature, will be carried over to 1942. Hearings also were held recently by a House committee of the Illinois legislature on a food, drug, and cosmetic bill. Following the hearings the committee reported the bill with a recommendation against its passage.

1940 Fruit Pack Statistics Published

Canned fruit pack statistics for 1940 have been compiled and published by the Association's Division of Statistics. The publication also contains comparisons of the packs of various canned fruits for several years past.

Copies of the bulletin, "Canned Food Pack Statistics: 1940, Part 2—Fruits," are being mailed this week to members of the Association. Additional copies may be obtained on request.

SPOT TOMATO INVITATIONS ISSUED**June 24 Deadline for New Offers; F. S. C. C. Also Announces Futures Purchases**

The Department of Agriculture, through the Federal Surplus Commodities Corporation, again has invited canners to submit offers for the sale of spot stocks of canned tomatoes. The invitations were dated June 18 and state that all offers must be in the hands of the Corporation before 10 a. m., June 24. On the same date that this invitation was announced, the Department also announced the purchase of 629,000 cases of tomato futures composed of 404,500 cases of No. 2's, 219,500 cases of No. 2½'s, and 5,000 cases of No. 10's. Combined purchases by the F. S. C. C. of spot and future tomatoes now amount to 3,210,311 cases, a little more than one-fifth of the 15,000,000 cases requested of the industry.

Among other recent purchases announced by the Department were 692,000 cases of pilchards futures, more than 15,000,000 pounds of dried fruits, and 567,500 cases of evaporated milk. The purchase during the week of 88,800 bags of dry beans has brought the total quantity purchased of that item since March 15 to 1,662,771 bags of 100 pounds each.

The first of the following two tables contains a break-down of the most recent dry bean purchases by variety, along with a cumulative total. The second table contains a selected list of commodities purchased since June 13:

DRY BEAN PURCHASES		
Variety	June 14-June 20 Bags	Purchases March 15-June 20 Bags
Great Northern.....	4,500	467,300
Pintos.....		152,563
Pinks.....		100,502
Blackeyes.....		78,406
Pea beans.....	82,000	834,300
Small whites.....	2,300	29,700
Total.....	88,800	1,662,771

TOTAL PURCHASES SELECTED COMMODITIES		
Commodities	June 14-June 20	Purchases March 15-June 20
Tomatoes, canned, spots (cases).....		1,038,271
Tomatoes, canned, futures (cases).....	629,000	2,172,040
Fish, canned, cases:		
Sardines.....		10,000
Pilchards, spots.....	9,434	300,722
Pilchards, futures.....	692,000	718,500
Mackerel.....	22,000	55,500
Other.....		19,500
Cabbage (bushels).....	68,695	68,695
Oranges (boxes).....	24,486	376,530
Evaporated milk (cases).....	567,500	2,632,300
Apples, dried, (pounds).....	3,065,575	3,065,575
Apricots, dried (pounds).....	8,000,000	8,000,000
Peaches, dried (pounds).....	4,000,000	4,000,000
Beans, dried (bags).....	88,800	1,062,771
Pork, canned (pounds).....	958,500	45,706,118
Vitamin A (million units).....	795,933	795,933
Vitamin C, ascorbic acid (pounds).....	5,000	5,000

Cease and Desist Order Issued against Canner

The Federal Trade Commission has issued a cease and desist order from violation of the brokerage section of the Robinson-Patman Act against George A. Bounds and Co., canners, Salisbury, Md.

F.T.C. Complaint against Miles Brokerage

Alleging violation of the brokerage provision of the Robinson-Patman Act, the Federal Trade Commission has issued a complaint against Miles Brokerage Co., Inc., Clearfield, Pa.; Miles & Co., Inc., DuBois, Pa.; Miles-Bradford Co., Bradford, Pa., and Miles-Kane Co., Kane, Pa.

The complaint alleges that stockholders owning 97½ per cent of the capital stock of Miles Brokerage Co., are identified with the three buyer respondent grocery companies and likewise own and control a majority interest in the capital stock of the buyer corporations. The complaint further alleges that receipt and acceptance of brokerage fees and commissions by Miles Brokerage Co., Inc., upon the three respondents' purchases, while acting for such purchasers, and receipt and acceptance of brokerage in the form of buying office services and facilities by the three buyer companies, upon their own purchases, violates the brokerage section of the Act.

Fuel Consumption in Canning Industry**Preliminary Report of Census Bureau Reveals Use of Gas on Increase; Coal Decreasing**

Statistics on consumption of fuel in manufacturing establishments in 1939 are furnished in a preliminary report issued by the Census Bureau, which reveals a decrease in consumption of bituminous and anthracite coal combined which amounts to 30.8 per cent in 1939 as compared to 1929; a decrease of 16.8 per cent in coke consumption, comparing 1939 with 1937; but an increase in gas consumption, including both natural and manufactured gas, of 39.2 in 1939 over 1929.

The following table, compiled from the report, furnishes statistics for the canned and dried fruit and vegetable industry and the fish canning industry for the year 1939:

	Canned and dried fruits and vegetables, including canned soup	Canned fish
Number of establishments.....	2,007	214
Number reporting fuel consumption.....	1,843	204
Anthracite coal (tons).....	13,023	1,795
Bituminous coal (tons).....	533,780	14,607
Coke (tons).....	4,113	712
Fuel oils (including crude oil and gas oils used as fuel) (barrels—42 gallons).....	400,888	102,424
Natural gas (M cubic feet).....	4,062,615	779,046
Manufactured gas (M cubic feet).....	97,685	3,043
Mixed gas.....	17,000	.....

Fred G. Elder, Florida Canner, Dies

Fred G. Elder, in his second term as president of the Florida Canners Association, died June 10, at his home in Bradenton, following a short illness. Soon after his retirement from the motor truck manufacturing business in Newark, New Jersey, in 1925, Mr. Elder entered citrus canning and became president of the Florida Grapefruit Canning Company at Manatee. In 1937 he was appointed by the governor of the State to membership in the Canners Advisory Committee to the Florida Citrus Commission. Mr. Elder was born in 1877 at Farmington, Illinois, going to New York in 1901 to enter advertising. His affiliation with the motor truck manufacturing industry followed.

EXPORTS AND IMPORTS OF CANNED FOODS

Exports of canned foods in April, compared with the same month in 1940, show striking increases in canned tomatoes, and condensed and evaporated milk. On the other hand, notable decreases were shown in exports of canned grapefruit, prunes, peaches, pears, pineapple, fruit salad and fruit cocktail, compar-

ing April, 1941 with April, 1940. In the import showings, an outstanding increase was revealed in canned pineapple, both dutiable and free. The following table, compiled from figures of the Department of Commerce, gives details of exports and imports for comparable periods:

EXPORTS		April, 1940		April, 1941		Jan.-Apr., 1940		Jan.-Apr., 1941	
	Pounds	Value	Pounds	Value	Pounds	Value	Pounds	Value	
Meats, total	742,124	\$193,311	720,041	\$198,521	6,898,450	\$1,863,825	2,412,076	\$643,796	
Beef, corned, etc.	44,735	9,623	34,906	7,444	164,765	35,531	101,405	21,776	
Other beef	37,885	13,015	24,109	7,204	332,414	105,580	76,537	25,156	
Pork	293,045	88,386	449,065	138,406	4,831,580	1,351,753	1,231,705	383,532	
Sausage	179,135	49,624	101,881	24,608	544,066	153,282	403,285	106,004	
Other meat	187,326	32,669	115,990	20,799	1,025,634	217,679	599,144	107,028	
Vegetables, total	4,228,853	276,269	9,488,851	495,414	51,562,618	2,720,385	18,635,925	1,198,927	
Asparagus	156,491	20,739	136,050	20,952	1,729,527	252,269	709,872	113,699	
Beans, baked and with pork	1,604,037	89,935	243,323	11,738	26,080,286	1,066,103	832,051	45,332	
Corn	96,172	7,592	188,418	13,446	659,352	46,201	761,634	51,625	
Peas	264,874	21,229	596,480	39,841	1,411,235	112,148	1,985,552	151,569	
Soups	284,257	27,355	276,890	25,946	4,625,393	312,363	1,123,933	106,325	
Tomatoes	699,733	43,531	7,081,710	299,875	8,666,313	393,644	9,088,765	405,256	
Tomato paste and puree	316,144	21,722	250,282	18,228	5,236,772	297,648	1,299,325	88,740	
Tomato juice	159,675	10,573	148,517	10,412	766,250	47,765	946,152	53,567	
Other vegetables	347,450	33,593	597,181	54,976	2,357,490	192,244	1,888,641	182,808	
Condensed milk	361,188	35,586	7,822,308	894,205	1,362,538	135,045	20,714,238	2,415,942	
Evaporated milk	3,878,131	267,484	7,773,249	541,675	11,471,984	831,350	27,855,994	1,976,425	
Fish:									
Salmon	5,370,449	1,055,233	560,810	103,285	15,900,147	2,989,955	13,067,719	2,126,217	
Sardines	5,721,468	405,308	3,963,255	280,371	37,359,818	2,780,867	18,117,161	1,165,635	
Other fish	100,016	11,220	172,437	17,638	1,379,125	133,792	1,752,288	159,441	
Shell-fish:									
Shrimp	154,558	26,002	23,103	5,456	889,838	145,268	375,594	61,491	
Other shell-fish	53,898	9,433	27,368	6,461	229,773	41,875	264,779	44,316	
Fruits, total	20,437,204	1,584,881	1,163,657	98,059	107,502,965	7,836,639	4,684,091	402,007	
Grapes			31,557	2,833			115,270	9,900	
Grapefruit	2,051,264	143,980	42,259	2,681	34,633,258	2,205,347	289,534	17,337	
Loganberries	172,846	12,624	1,938	222	346,177	26,409	12,630	1,216	
Other berries	31,042	3,868	31,160	3,984	134,967	17,848	162,211	18,872	
Apples and sauce	296,781	14,143	65,233	3,943	1,971,906	86,661	215,308	13,401	
Apricots	620,618	44,870	55,042	4,835	5,341,810	382,058	159,383	15,456	
Cherries	55,275	6,236	55,563	7,515	358,584	38,070	233,514	31,724	
Prunes	3,719,892	209,461	116,455	7,299	5,425,213	312,441	209,961	14,347	
Peaches	5,294,282	361,108	282,502	19,067	26,315,170	1,733,150	1,132,422	80,511	
Pears	3,263,937	274,224	215,204	16,440	13,519,624	1,101,638	685,804	58,764	
Pineapple	1,035,953	90,589	54,655	4,884	4,781,973	307,671	391,129	31,144	
Fruit salad and cocktail	3,743,427	408,903	170,455	17,909	13,467,354	1,431,842	702,700	83,424	
Other fruits	132,887	14,866	61,514	5,847	1,206,929	103,498	284,225	25,821	
Fruit juices (in gallons):									
Pineapple	55,159	28,043	11,206	7,676	216,680	109,563	91,428	48,900	
Grapefruit	238,600	84,093	158,587	46,662	1,278,600	422,342	1,026,132	454,675	
Orange	26,831	13,788	15,582	12,344	109,390	62,254	69,493	44,736	
Other fruit juices	77,076	47,219	58,024	53,496	191,772	134,692	185,190	158,025	
IMPORTS									
Meat:									
Beef	4,487,667	526,570	6,907,911	760,913	24,236,028	2,701,635	24,527,748	2,659,563	
Other meats	9,097	2,554	463	251	33,382	10,125	12,841	3,856	
Milk: condensed and evaporated	96	8	205	20	1,102	107	801	77	
Fish:									
Packed in oil—									
Sardines	1,450,306	229,562	902,157	195,260	5,571,380	801,750	3,338,913	675,562	
Anchovies	318,155	102,108	321,445	120,254	802,590	274,974	936,058	310,760	
Tuna	315,958	43,837	242,157	48,947	3,754,812	593,500	990,873	184,344	
Other fish in oil	38,017	11,244	37,863	11,442	246,521	71,805	123,526	36,158	
Other fish not in oil	566,804	63,574	157,306	25,408	3,304,182	376,137	863,142	124,500	
Caviar and other roe	21,259	5,211	1,307	7,487	49,146	33,235	11,491	33,175	
Shellfish—									
Crab meat and sauce	130,625	38,382	440,719	121,018	9,068,216	2,784,800	1,129,747	330,878	
Clams and oysters	65,071	15,935	103,509	22,793	248,697	55,025	252,182	57,447	
Lobsters	30,563	10,196	41,549	12,658	260,318	81,793	440,797	140,305	
Other shellfish	2,036,632	147,182	1,067,071	83,432	6,152,236	416,025	4,880,572	315,101	
Vegetables:									
Peas	16,629	971	2,605	160	76,053	5,099	2,780	188	
Pimientos	1,850	373			24,850	3,896			
Mushrooms	45,808	13,548	4,479	1,284	289,764	65,947	18,077	5,282	
Tomatoes	2,647,342	131,208	97,519	5,301	11,565,548	537,542	200,443	10,537	
Tomato paste and sauce	297,936	30,040			2,466,679	212,322	6,000	780	
Other vegetables	57,763	3,419	7,604	468	101,444	5,833	12,120	810	
Fruit:									
Pineapple, dutiable	460,195	23,903	2,568,030	105,859	4,106,650	171,029	10,847,627	475,284	
Pineapple, free (Philippines)			3,182,038	157,839	5,355,454	240,825	5,750,326	273,028	

Research Men at Food Technology Meeting

Members of the Research Division of the Association attended and participated in the Second Food Conference of the Institute of Food Technologists, in Pittsburgh, June 16 to 18. The importance of food in national defense made this meeting of especial interest, with a number of defense matters under discussion.

C. M. Merrill of the Research Laboratories delivered a paper discussing the proportioning of chlorine compounds and water in cannery cooling tanks. Dr. E. J. Cameron, director of the Division, presided at the section on bacteriology of sanitation. Besides general papers on food processing and technology there were special sessions on vitamin restoration and fortification, packaging and storage, waste and by-product utilization, food and national defense, protection and improvement of flavor, and process engineering in food manufacture.

TOMATOES FOR PROCESSING

Latest Government Acreage Figures Reveal Increase of 11 Per Cent Over 1940 Plantings

The planting of 466,790 acres of tomatoes in prospect for 1941 processing is 11 per cent more than the 1940 plantings of 420,440 acres, according to an estimate made June 17 by the Department of Agriculture, based on a special inquiry to tomato processors early in the month.

On April 24, the Department estimated 427,090 acres intended for 1941, which was 1.6 per cent larger than that planted in 1940. (This amounted to an increase of 2.6 per cent over the unrevised 1940 planting of 416,240 acres.) The current estimate of 11 per cent increase over last year's acreage is 9.4 per cent larger than that of April 24. The Department had based its April 24 estimates on reports that had come in prior to the announcement of the program to purchase 15,000,000 additional cases of tomatoes under terms of the Lend-Lease Act.

Information on which the current estimate is based was received from tomato canners and processors not only on the acreage planted or contracted for this season, but also on the probable acreage from which tonnage may be obtained by purchase on the open market, and the totals furnished include acreage from which tonnage will be obtained for canned whole tomatoes, canned tomato juice, and for other tomato products such as catsup, puree, sauces, etc., according to the report.

This special June 17 report of preliminary acreage indicates an increase over 1940 plantings of 2.6 per cent for the Northeastern States, which is about the same as was indicated in the estimate of April 24. In the Mid-West, however, a 21 per cent increase is indicated on June 17, as compared with 6.7 per cent reported April 24. Delaware, Maryland, and Virginia combined, show an increase that is 1.2 per cent greater than that shown April 24, but the chief increases in acreage are to be found in the totals for Kentucky, Tennessee, and Arkansas, and for Colorado, Utah, and California. The first three States, in which practically all the tonnage is used for canned tomatoes, showed on June 17 a 9.1 per cent increase over 1940 plantings, as compared to a 10.5 per cent decrease on April 24. The three Western States show an in-

crease of 11.7 per cent, as compared to a 2.4 per cent increase on April 24.

The following table presents figures which accompanied the special June 17 report, showing preliminary acreage plans by States, with comparisons to 1940 planted acreage:

STATE	Planted Acreage		
	As		1941 Preliminary Acres
	1940 Acres	percent of 1940 Per cent	
New York.....	20,500	100	20,500
New Jersey.....	33,800	99	33,500
Pennsylvania.....	19,800	111	22,000
	74,100	102.6	76,000
Ohio.....	24,500	126	30,900
Indiana.....	74,500	125	93,100
Illinois.....	8,900	108	9,600
Michigan.....	5,400	100	5,400
Iowa.....	4,800	115	5,500
Missouri.....	16,300	111	18,100
	134,400	121.0	162,600
Delaware.....	9,000	106	9,500
Maryland.....	47,800	110	52,600
Virginia.....	22,200	106	23,600
	79,000	108.5	85,700
Kentucky.....	4,900	133	6,500
Tennessee.....	6,400	117	7,500
Arkansas.....	18,300	100	18,300
	29,600	100.1	32,300
Colorado.....	2,900	117	3,400
Utah.....	7,300	100	7,300
California.....	71,530	113	80,620
	81,730	111.7	91,320
Other States.....	21,610	87.3	18,870
Total All States.....	420,440	111.0	466,790

Staff Members at Home Economics Meeting

The staff of the Home Economics Division will attend the annual meeting of the American Home Economics Association at Hotel Stevens, Chicago, June 22 through June 28. A pre-convention meeting of the Home Economics Women in Business was to be held Saturday, June 21, at the Edgewater Beach Hotel, with an afternoon session devoted to an informal members' "Information Please Roundup" to present what is happening in the fields of food, textiles and equipment. Miss Marjorie H. Black was scheduled to speak on "Canned Fruits and Vegetables."

This will be the fourth year that the Division has exhibited its publications at the annual Home Economics meeting and a new background for the exhibit has been built. It features the scientific work of the Association through translites and a slide film.

This exhibit background was used for the first time at the American Medical Association meeting in Cleveland the week of June 2, and will be used for a number of other conventions this year.

At the close of the Home Economics meeting, Miss Ruth Atwater will go to Wisconsin and Minnesota to fulfill speaking engagements at the summer session of Stout Institute, Menomonie, Wisconsin, and the University of Minnesota, St. Paul.

Pea Shipments Larger than Last Year

Shipments of canned peas out of canners' hands during the current season (June 1 to June 1) were more than five million cases larger than for the previous season, according to figures compiled by the Association's Division of Statistics. Shipments during May, 1941, were 474,029 cases more than during May, 1940. Stocks on June 1, 1941, were 1,098,412 less than on the same date last year.

The table following shows comparable figures of stocks and shipments for specified dates:

	1939-40		1940-41	
	Cases	Cases	Cases	Cases
Total stocks June 1.....	2,628,600	1,530,188		
Shipments during May.....	908,319	1,472,348		
Shipments June 1 to June 1.....	21,123,996	26,558,702		

The following table presents stocks on June 1, 1941, in canners' hands, and shipments for specified periods by regions and varieties:

	Stocks		Shipments		Shipments		
	June 1	1940	during May	1940	1941	1939-40	1940-41
	Cases	Cases	Cases	Cases	Cases	Cases	Cases
New York and Maine:							
Alaskas.....	10,087	13,988	9,466	1,754	133,536	180,313	
Sweets.....	211,317	210,811	113,280	97,664	1,659,437	2,270,172	
Mid-Atlantic:							
Alaskas.....	14,151	25,706	13,702	34,818	1,335,175	2,097,653	
Sweet.....	29,688	28,103	20,792	23,214	233,853	551,967	
Mid-West:							
Alaskas.....	455,241	410,025	276,096	475,990	5,913,530	8,363,461	
Sweets.....	807,304	449,775	304,439	560,151	5,886,613	7,213,282	
Western:							
Alaskas.....	4,913	275	250	2,725	152,266	90,811	
Sweets.....	1,005,899	391,503	259,385	270,540	5,800,586	5,791,043	
Total U. S.:							
Alaskas.....	484,392	449,094	300,423	511,770	7,534,507	10,732,238	
Sweets.....	2,144,208	1,080,194	697,896	960,569	13,380,489	15,826,464	

Stocks and Shipments of Green and Wax Beans

Shipments of canned green beans during the current season, July 1, 1940 to June 1, 1941, reached a total of 8,296,014 cases, exceeding last year's total by 665,149 cases. Stocks of green beans on June 1, 1941, totaling 204,676 cases, were less than one-fourth the amount held on the same date last year, according to figures compiled by the Association's Division of Statistics. May shipments of green beans this year were 178,868 cases less than last year and of canned wax beans 27,966 cases less than May, 1940. June 1 stocks of wax beans stood at 44,281 cases, as compared with 329,951 cases last year, and shipments, during the season, were 150,342 cases more this year than last.

The following table shows stocks and shipments by regions:

GREEN BEANS	Stocks		Shipments		Shipments		
	June 1	1940	during May	1940	1941	1939-40	1940-41
	Cases	Cases	Cases	Cases	Cases	Cases	Cases
Northeast.....	135,606	23,589	60,924	24,364	807,000	847,006	
Middle Atlantic.....	154,170	11,181	101,062	30,216	2,351,503	1,095,597	
Mid-West.....	222,432	30,019	114,586	47,122	1,607,054	1,346,190	
Western.....	287,295	127,139	107,830	127,174	1,731,728	2,687,804	
Southern.....	47,100	12,748	36,789	14,317	1,142,589	1,419,327	
Total Green.....	846,603	204,676	422,001	243,193	7,630,865	8,296,014	
WAX BEANS							
Northeast.....	83,200	21,634	29,235	38,148	449,442	524,235	
Middle Atlantic.....	32,637	764	10,307	1,633	191,902	181,993	
Mid-West.....	191,889	10,065	51,009	19,773	494,607	602,869	
Western.....	22,216	11,818	4,550	7,581	104,407	100,685	
Southern.....					22,557	3,475	
Total Wax.....	329,951	44,281	95,101	67,135	1,262,915	1,413,257	

Fruits and Vegetables in Cold Storage

June 1 Stocks of Frozen Fruits Larger Than Last Year—Stocks of Vegetables Smaller Than Year Ago

June 1, 1941, stocks of frozen fruits and vegetables totaled 89,983,000 pounds, an apparent increase of 8,065,000 pounds during May, according to figures compiled by the Agricultural Marketing Service. Holdings on June 1, 1941, exceeded those of June 1, 1940, by 7,622,000 pounds.

Stocks of all frozen vegetables totaled 43,320,000 pounds, which was 5,329,000 pounds less than the May 1, 1941, holdings. June 1, 1941, stocks were 3,075,000 pounds less than those of a year earlier.

The following table, compiled by A. M. S., gives detailed figures and comparisons by varieties on holdings of both fruits and vegetables:

	June 1, 1940		May 1, 1941
	1,000 pounds		1,000 pounds
FROZEN FRUITS:			
Blackberries.....	2,574	2,911	2,362
Blueberries.....	2,938	5,470	4,523
Cherries.....	10,731	10,081	7,631
Logan and similar berries.....	1,029	1,462	1,139
Raspberries.....	4,218	9,022	7,448
Strawberries.....	27,701	21,946	35,000
Other fruits.....	14,454	15,600	15,054
Classification not reported.....	18,716	15,366	16,826
Total.....	82,361	81,918	89,983
FROZEN VEGETABLES:			
Asparagus.....	6,781	5,050	6,471
Beans, lima.....	9,174	7,870	6,279
Beans, snap.....	3,902	3,470	2,891
Broccoli, green.....	1,325	1,420	1,153
Corn, sweet.....	4,909	3,521	2,796
Peas, green.....	11,075	17,429	14,305
Spinach.....	4,103	3,204	2,953
Other vegetables.....	2,836	4,400	3,745
Classification not reported.....	2,390	2,267	2,725
Total.....	46,395	48,649	43,320

Stocks and Shipments of Canned Tomatoes

Shipments of canned tomatoes during the present season, from July 1, 1940 to June 1, 1941, were 3,839,275 cases greater than shipments during the corresponding months of the previous year, according to figures compiled by the Association's Division of Statistics. May shipments were nearly a million cases larger than during May, 1940. Stocks of canned tomatoes in canners' hands on June 1, 1941, were 205,038 cases smaller than stocks held on June 1, 1940.

The following table shows stocks and shipments by regions:

	Total		Shipments		Shipments	
	stocks June 1	1940	during May	1940	1941	July 1 to June 1
	Cases	Cases	Cases	Cases	Cases	Cases
Northeast.....	366,024	211,230	97,297	94,900	1,001,490	799,114
Mid-Atlantic.....	1,401,373	672,200	347,260	429,768	7,460,486	8,508,008
Mid-West.....	1,441,566	536,855	430,567	345,154	4,922,719	5,087,574
Tenn.-Ky.....	14,811	101,868	30,070	72,912	316,037	453,043
Ozark Terr.....	295,018	984,200	138,806	524,553	1,508,083	2,834,261
Western.....	153,347	170,577	72,164	162,582	1,174,452	1,202,818
California.....	564,039	1,349,510	50,358	508,947	2,704,967	4,308,347
Southern.....			1,700		3,702	1,166,251
Total U. S.	4,236,178	4,031,140	1,166,561	2,142,500	20,344,485	24,183,760

* California not included with Western.

How Inventors Can Aid National Defense

The National Inventors Council, whose request for the submission of inventions that might be useful to the armed services was published in the INFORMATION LETTER of May 28, has made available supplies of their Information Bulletin No. 2, "for inventors, engineers, scientists, technicians and others desirous of aiding the national defense."

The bulletin states the purpose of the Council, describes the character and the defense value of useful inventions, lists and describes its 12 technical committees, offers suggested procedure for submitting inventions, and publishes a reference list of instructive literature.

Copies of the bulletin may be obtained on request addressed to the Information Division of the Association or direct to the Council, Room 7424 Commerce Bldg., Washington, D. C.

PEA CROP CONDITION REPORT

Information for Week Ending June 19 Compiled by Division of Statistics

The acreage of peas planted for canning in each of the crop reporting districts is shown in the table that follows. These acreage figures are preliminary and subject to revision, because reports from a few firms have not been received.

Figures are not shown for the entire United States as some of the smaller producing States are not included in the crop reporting districts. The yields shown in the table are those estimated by the field men and production men reporting on crop conditions. These estimates may change from week to week as conditions change. For those districts where the pack has been completed the range of reported yields is shown. As soon as reports have been received from all packers in these districts, an average for the acreage of the district will be reported.

Reporting districts	Planted acreage			Estimated yields 1941		
	Early		Late	Early		Late
	Alaskas	Sweets	Sweets	Alaskas	Sweets	Sweets
Acres	Acres	Acres	Acres	Acres	Acres	Acres
Maine	4,143	517	.....	.....	.....	.....
New York I	427	3,968	3,335	.....	55-60	65-70
New York II	481	3,105	5,558	50	50-55	.....
New York III	2,184	3,780	5,105	40-50	55-60	60
New York IV	450	2,161	3,390	.....	.....	.....
Middle-Atlantic I	4,054	337	49	30-60	.....	.....
Middle-Atlantic II	10,516	230	.....	15-35	.....	.....
Middle-Atlantic III	9,173	2,137	2,108	50-60	85-90	.....
Ohio	4,655	724	977	30	30	.....
Indiana	9,327	462	439	40-45	.....	.....
Illinois	7,300	2,418	7,583	50-65	.....	.....
Michigan	3,855	2,653	3,815	.....	.....	.....
Wisconsin I	5,924	663	2,170	80	.....	.....
Wisconsin II	30,582	4,815	19,737	50	50	.....
Wisconsin III	12,098	2,417	5,254	50-60	.....	.....
Wisconsin IV	5,860	2,250	1,980	80	.....	.....
Wisconsin V	15,576	3,982	5,052	85	.....	.....
Minnesota	8,603	1,725	15,704	60	.....	80
Iowa and Nebraska	1,849	476	878	40-50	.....	.....
Colorado	830	1,267	2,225	75	.....	.....
Utah	130	3,155	11,500	.....	.....	.....
Wyoming and Montana	.....	550	2,710	.....	.....	.....
Washington-Oregon I	310	3,070	37,004	.....	90-100	.....
Washington-Oregon II	.....	500	1,430	.....	.....	.....
Puget Sound	3,180	4,842	.....	.....	.....	.....

MAINE.—Stands of peas fairly good. Rain needed to improve growth. Highest temperature for the week 75 degrees, the lowest 36 degrees. Some aphids appearing in clover.

NEW YORK I.—Rains during the week have materially improved conditions. Growth now about normal. Early

Sweets show fill of pods from five to seven peas. Late Sweets in full bloom June 12 to 16.

NEW YORK II.—Two good rains during week materially improved conditions of late peas, not much aid to early plantings. Fill of pods on Early Sweets four to five with only fair set of pods. Late Sweets first bloom June 12.

NEW YORK III.—Excellent rain during week aided growth of Sweets and Late Alaskas. Aphid infestation not serious but may become dangerous with favorable temperatures.

MIDDLE-ATLANTIC III.—Pack of Alaskas about completed. Pack of Sweets now in full swing with yields about average. Some damage reported from aphid.

OHIO.—Alaska pack about completed. Yields very disappointing due to dry weather and aphid damage. Excess rain prevented harvesting some fields. Pack of Early Sweets now in progress. Indications are that yields may not be much better than for Alaskas. Aphid infestation very bad on Late Sweets. Some fields probably not worth cutting.

ILLINOIS.—Pack of Alaskas about completed. Yields considerably below average because of uneven maturity and short pods particularly in the northern part. Some damage from excessive rainfall. Considerable aphid infestation on both Alaskas and Sweets. Growth of vines of Sweets very heavy. Early plantings in full bloom.

MICHIGAN.—Alaska pack just starting. Cuttings too irregular to make estimate of yields. Late Sweets just starting to bloom. Some aphid infestation, but not serious as yet. Will need rain soon for Late Sweets.

WISCONSIN I.—Excessive rainfall with low temperatures during week has improved aphid condition, but retarded maturity of peas. Late Sweets began blooming June 15.

WISCONSIN II.—Excessive rainfall causing yellowing of vines in Alaska fields. Late Sweets very weedy in spite of heavy growth. Alaska yields have been disappointing due to poor fill of pods. Sweets seem slow in growth. Aphids although not serious now are increasing.

WISCONSIN III.—Canning Alaskas now, with light yields reported on first runs. Later plantings may not show much improvement as pods are short and fill light. Aphid still severe and treatment proceeding. Reinfestation taking place on early treated fields.

WISCONSIN IV.—Crop in general looks very good. Very light damage from excessive rain and aphid not serious. Set of pods three to four to the vine with fill five to six. Sweets showing very good growth with only few aphids.

WISCONSIN V.—Alaskas and Early Sweets show very heavy vine growth. About three pods per vine with six peas per pod. Temperature about normal, very cool early part of week. Fungus apparently taking care of aphids.

MINNESOTA.—Excessive rains, cold, cloudy weather, weeds and plant diseases have reduced crop prospects still further. Aphid situation unchanged running slight to heavy in spotted areas. Thirteen consecutive days of rain totaling from 3" to 5" in different areas.

UTAH.—Water supply still good. Some peas have been watered the second time. Weather still good for peas in most districts with slight showers and moderate heat. Temperatures range from 36 to 87 degrees. Should start harvesting Lates by June 27th. Set of pods five to eight. Vine growth rank, runs from eight inches to thirty inches in height.

WYOMING.—Conditions continue to be favorable for normal crop of peas. Late Sweets in full bloom June 20.

WASHINGTON-OREGON I.—Harvesting reaching peak on early plantings but late peas maturing behind schedule, but quality excellent. Strong probability "bunching" later. Heavy rain has relieved aphid situation some, but slowed up dusting program for both weevil and aphid.

The following table shows temperature and rainfall data for the weeks ending June 17, 1940 and 1941:

REPORTING DISTRICT	Temperature departure from normal		Rainfall	
	1940 Degrees	1941 Degrees	1940 Inches	1941 Inches
Maine.....	+ 1	- 6	1.0	0.92
New York I.....	+ 1	- 3	0.1	0.29
New York II.....	+ 3	- 2	T	0.25
New York III.....	+ 3	- 1	0.4	0.09
New York IV.....	+ 4	- 1	0.6	1.73
Middle-Atlantic I.....	+ 6	- 1	0.8	2.51
Middle-Atlantic II.....	+ 5	- 2	0.3	1.28
Middle-Atlantic III.....	+ 5	- 3	0.3	1.65
Ohio.....	+ 7	- 4	0.8	1.73
Indiana.....	+ 6	- 6	0.2	1.88
Illinois.....	+ 4	- 5	2.9	0.93
Michigan.....	+ 2	- 6	0.8	1.12
Wisconsin I.....	+ 3	- 7	0.1	2.01
Wisconsin II.....	+ 3	- 7	0.6	1.53
Wisconsin III.....	+ 1	- 7	1.3	1.05
Wisconsin IV.....	+ 3	- 5	0.4	0.70
Wisconsin V.....	+ 5	- 7	0.5	1.71
Minnesota.....	+ 4	- 7	T	1.19
Iowa.....	+ 3	- 6	0.1	0.31
Nebraska.....	+ 2	- 7	0.1	0.64
Colorado.....	+ 7	+ 3	T	0.36
Utah I.....	+ 13	+ 2	0.0	T
Utah II.....	+ 13	+ 2	0.0	T
Utah III.....	+ 14	+ 2	0.0	T
Wyoming.....	+ 10	+ 2	0.0	0.01
Montana.....	+ 10	+ 5	0.0	0.09
Washington-Oregon I.....	+ 9	+ 3	0.0	0.41
Washington-Oregon II.....	+ 2	+ 8	0.1	0.13
Puget Sound.....	+ 6	+ 6	0.0	0.14

CONGRESS SUMMARY

Revenue and Excess Profit Taxes, Parity Legislation, and Food Prices Considered

The House Ways and Means Committee this week reached tentative agreement on a number of increases in taxes, both individual and corporate, designed to raise \$3,500,000,000 in additional revenue to help meet the financial burden of the national defense program. The following provisions of the new revenue bill that is being drafted by the Committee for submission to the House about July 1 are tentative and subject to possible change. In the field of corporate taxation, the Committee proposes an invested capital credit allowance of 8 per cent on the first \$5,000,000 and 7 per cent on the remaining capital, an increase in the excess profits rates of ten points in each bracket, and the disallowance of income taxes and surtaxes as deductions in computing excess profits net income. The Committee would allow the excess profits tax as a deduction from income subject to normal taxes and surtaxes.

The Committee also proposes a special 10 per cent excess profits tax that would be levied on those corporations electing to use the invested capital method of determining excess profits taxes. The special tax would apply in cases where there is a difference between the return on invested capital during the base period of 1936-1939 and in the taxable year. A Committee example of this tax is a corporation that had a 2 per cent return on invested capital during the base period and a 4 per cent return during the taxable return. The 2 per cent difference in the rate of return would be liable to the special tax of 10 per cent.

The Committee has made no announcements that would indicate whether any change is contemplated in the provisions of the excess profits law that are designed to relieve the hardship cases.

Another increase proposed by the Committee would place a corporation surtax of 5 per cent on surtax net incomes of \$25,000 or less and 6 per cent on those of over \$25,000.

The Senate approved, Monday, the Thomas resolution authorizing and requesting the Senate Agriculture Committee to hold hearings and to consider drafting legislation defining parity prices. The resolution states that pending such hearings no agency of the government "should assume to exercise implied power in undertaking to alter parity prices fixed by the Department of Agriculture as of May 15, 1941."

A concurrent resolution, similar to the Casey resolution for a study of prices, has been introduced in the House and referred to the Rules Committee. The concurrent resolution would create a joint House and Senate Committee to investigate and determine increases in the cost of food since September 1, 1939, and whether or not the increases are warranted. No action has been taken on the resolution nor has the Casey resolution, which was approved by the Rules Committee, been reported to the House. The provisions of the Casey resolution were briefly outlined in the INFORMATION LETTER of June 7.

Alaskan Fisheries Regulations Amended

Amendments to the Alaska commercial fisheries regulations effective through December 31, 1941, have been issued by the Secretary of the Interior. Two amendments apply to the Kodiak area fisheries. The first makes an exception in the requirement covering minimum distance between traps, stating that distance by most direct water measurement from any part of one trap to any part of another trap, shall be not less than one statute mile, except in those waters of Alitak Bay in which the runs are tributary to streams where counting weirs are maintained. The second amendment specifies the areas along Kodiak Island that are open to salmon traps.

Other amendments to the regulations deal with areas in which salmon traps are permitted in the Prince William Sound area, the Icy Straits District and the Western District of the Southeastern Alaska area. All the amendments are published in the *Federal Register* for June 17.

Suggestions on Sweet Corn Culture

Pennsylvania State College recently has released in mimeographed form information on sweet corn culture which will be helpful to canners and growers. Hybrids suitable for growing in that State are listed, together with the number of days required for maturity of each. Rates of seeding, quantities of fertilizer to be used for best results, and best planting dates are suggested. Copies of this circular may be obtained upon request directed to the Association's Raw Products Bureau.

Stocks and Shipments of Canned Tomato Juice

Stocks of canned tomato juice in canners' hands on June 1, 1941, were a little more than 600,000 cases smaller than on June 1, 1940; being 1,921,285 cases, compared with 2,589,623 cases, according to figures compiled by the Association's Division of Statistics. Shipments during May, 1941,

were a little larger; being 905,479 cases, as compared with 852,486 cases in May, 1940.

Shipments during the season, from August 1, 1940, to June 1, 1941, were over 800,000 cases larger than during the corresponding period of the previous year; being 11,680,172 cases, as compared with 10,884,941 cases during the period August 1, 1939, to June 1, 1940.

The following table shows by can sizes the stocks of canned tomato juice in cannery hands on June 1, 1941:

Can name	Cans per case	June 1 stocks Cases
8 Z Tall (incl. 8 Z Short)	48	71,490
No. 1 PiePie	48	32,460
No. 211 Cylinder	48	105,245
No. 300 (incl. all 300 cans from 407 to 412)	48	183,944
No. 1 Tall	48	137,090
No. 303 Cylinder	24	158,266
No. 2	24	174,806
No. 2 Cylinder (incl. all 307 cans from 505 to 513)	24	162,409
No. 3 Cylinder (incl. all 404 cans from 615 to 708)	12	374,676
No. 10	6	305,470
Miscellaneous Tin *	—	77,278
Glass	—	138,151
Total		1,921,285

* Includes 30,597 cases of Number 5's.

Fruit and Vegetable Market Competition

Carlot Shipments as Reported to the Agricultural Marketing Service by Common Carriers

Supplies of snap and lima beans, tomatoes, and green peas on the fresh market for the week ending June 14, 1941, were smaller than for the corresponding week in 1940, according to the Agricultural Marketing Service, as evidenced by carlot shipments.

Citrus fruits, on the other hand, were slightly larger for the week ending June 14 this year than for the corresponding term in 1940.

The following table, compiled from statistics of the A. M. S., gives detailed comparisons of carlot shipments on certain dates, of selected vegetables and fruits:

VEGETABLES	Week ending—					Season total to—
	June 14, 1940	June 14, 1941	June 7, 1941	June 14, 1940	June 14, 1941	
Beans, snap and lima	158	60	96	3,860	3,610	
Tomatoes	1,569	1,470	1,313	8,703	7,957	
Green peas	208	137	61	3,114	2,420	
Spinach	0	1	2	5,559	5,076	
Others	567	801	795	36,769	35,240	
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FRUITS	3,280	3,445	4,276	118,044	129,697	
Imports	0	2	1	9	10	
Others, domestic	1,204	840	603	7,212	7,087	

Study on Growing Tomatoes for Canning

A number of farms on which tomatoes are grown for canning were studied during 1940 and the factors which affected tomato production in the fields surveyed have been brought together in a recent statement entitled "1940 Tomato Study in New Jersey", recently distributed by the New Jersey Agricultural Experiment Station and Extension Service. Cost per acre, the relation of yield per acre to cost of production, relation of yield per acre to date of planting, the relative number of cases of injury by the various insects, effects of diseases, as well as effect of cultural practices, are discussed.

A brief practical summary of findings of the Experiment Station Committee that was in charge of the tomato survey also has been published by the New Jersey Station as Circular 409, entitled "Putting Profit in Tomato Growing".

Copies of these publications may be obtained by members upon request directed to the Raw Products Bureau.

Hearings Scheduled on Bread Standards

Hearings before the Federal Security Agency on proposed standards for bread and related products are scheduled for July 7 in Rooms A, B, and C, Departmental Auditorium, Constitution Avenue, between 12th and 14th Streets, Washington, D. C. Full text of the proposed definition and standards appeared in the Federal Register of June 7.

Stocks and Shipments of Canned Fresh Lima Beans

Shipments of canned fresh lima beans out of cannery hands during April and May totaled 263,899 cases, according to figures compiled by the Association's Division of Statistics. Stocks in cannery hands on June 1 were 300,648 cases as compared with 564,547 cases on April 1. Shipments from July 1, 1940, to June 1, 1941, totaled 2,064,357 cases.

The following table shows the stocks on June 1 and the shipments during April and May, by regions:

Stocks:	East Cases	West Cases	Total Cases
Sold, not shipped	115,973	37,823	153,796
Unsold	110,958	35,894	146,852
Total	226,931	73,717	300,648
Shipments during April and May	188,571	75,328	263,899

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